

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HARVEY WEAVER : CIVIL ACTION  
: :  
v. : :  
: :  
JOHN PALAKOVICH, et al. : No. 10-3888

**O R D E R**

AND NOW, this 11<sup>th</sup> day of February, 2013, upon consideration of Petitioner's petition for a writ of habeas corpus, and Respondents' response thereto, IT IS HEREBY ORDERED that Petitioner's petition is **DENIED WITH PREJUDICE AND WITHOUT A HEARING.**

**IT IS FURTHER ORDERED** that no certificate of appealability will be issued pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

/s/ J. William Ditter, Jr.

J. WILLIAM DITTER, JR., J.